

1 Charles J. McKEE (SBN 152458)  
County Counsel  
2 William K. Rentz (SBN 058112)  
Sr. Deputy County Counsel  
3 Office of the County Counsel  
168 W. Alisal St., Third Floor  
4 Salinas, CA 93901-2653  
Telephone: (831) 755-5045  
5 Facsimile: (831) 755-5283  
rentzb@co.monterey.ca.us  
6

7 Attorneys for COUNTY OF MONTEREY  
8

9 **UNITED STATES DISTRICT COURT**  
10 **NORTHERN DISTRICT OF CALIFORNIA**  
11 **SAN JOSE DIVISION**  
12

13 DAN MITCHELL, action for himself and  
14 others similarly situated,

15 Plaintiffs.

16 v.

17 COUNTY OF MONTEREY

18 Defendant.  
19

COUNTY OF MONTEREY,

20 Counterclaimants

21 v.

22 DEPUTY SHERIFFS' ASSOCIATION OF  
MONTEREY COUNTY, a labor organization,  
23 and DAN MITCHELL, acting for himself and  
others similarly situated, DAVID A. ALLRED,  
24 JOHN C. BAIRD, JOSEPH ANTHONY  
CHAFFEE, JOHN Di CARLO, EDWARD  
25 DURHAM, DENNIS ENGLISH, NELSON  
GARCIA, RUBEN A. GARCIA, DUSTIN  
26 HEDBERG, ALFRED JIMENEZ, TIM  
KREBS, RICHARD D. MATTHEWS,  
27 BRUCE MAUK, WILLIAM D. NAPPER,  
SHAWN O'CONNER, DAVID R. RATTON,  
28 (see next page)

CASE NO. C 08-01166 RS

CERTIFICATE OF SERVICE.

1 KENNETH A. RESOR, ROBERT Q.  
2 RODRIGUEZ, MICHAEL R. SHAPIRO, and  
3 GARY WHEELUS and all other Plaintiffs who  
are now or may hereafter be joined in this  
proceedings,

4 Counter-Defendants  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

**CERTIFICATE OF SERVICE**

I am employed in the County of Monterey, State of California. I am over the age of 18 years and not a party to the within action. My business address is 168 West Alisal Street, 3rd Floor, Salinas, California.

On March 19, 2008 I served a true copy of the following document(s):

1. County of Monterey's Answer to Complaint for Violations of the Fair Labor Standards Act [29 USC Secs. 201 et seq.]  
  
County of Monterey's Counterclaims for Declaratory Relief and For Reimbursement of Overpaid Regular Wages and For Overpaid Overtime Wages.  
  
Demand for Jury Trial.
2. County of Monterey's Declination to Proceed Before a Magistrate Judge and Request for Reassignment to a United States District Judge.

on the interested parties to said action by the following means:

[XX] **(BY MAIL)** By placing a true copy thereof, enclosed in a sealed envelope, for collection and mailing on that date following ordinary business practices, in the United States Mail at the Office of the County Counsel, 168 West Alisal Street, 3rd Floor, Salinas, California, addressed as shown on the attached Service List. I am readily familiar with this business's practice for collection and processing of correspondence for mailing with the United States Postal Service, and in the ordinary course of business, correspondence would be deposited with the United States Postal Service the same day it was placed for collection and processing.

[XX] **(BY E-FILEING WITH THE U.S. DISTRICT COURT)** By submitting these documents for e-filing on that date pursuant to Local Rule 5-4 and General Order 45, at the Office of the County Counsel, 168 W. Alisal Street, Third Floor, Salinas, California, addressed as shown on the attached Service List.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct. Executed on March 19, 2008, at Salinas, California.



Ian Coats

**SERVICE LIST**

Will M. Yamada  
Mastagni Holstedt Amick Miller Hohnsen & Uhrhammer  
A Professional Corporation  
1912 "I" Street  
Sacramento, CA 95814

FAWPWIN60\TXT\LIT\620 - Personnel Lit\Mitchell\POS and Caption.doc